



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/768,975	01/30/2004	Shohei Chida	3335-00012

26753

ANDRUS, SCEALES, STARKE & SAWALL, LLP  
100 EAST WISCONSIN AVENUE, SUITE 1100  
MILWAUKEE, WI 53202

CONFIRMATION NO. 4526

## FORMALITIES LETTER



\*OC000000012948282\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/19/2004 FFANAI2 00000015 10768975

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1053	130.00 OP
04 FC:1201	344.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

-08/19/2004 FFANAI2 00000015 10768975

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
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- The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-20.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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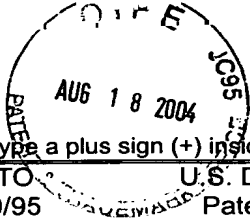
*A copy of this notice **MUST** be returned with the reply.*

*L. Van*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please type a plus sign (+) inside this box [ + ]

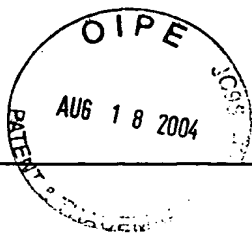
Patent and Trademark Office: U.S. Department of Commerce

0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/768,975
		Filing Date	January 30, 2004
		First Named Inventor	Shohei Chida
		Group Art Unit	
		Examiner Name	
TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Attorney Docket Number	3335-00012
Total Number of pages in this Submission		20+	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication To Technology Group
<input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board Of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement/PTO-1449	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Response to Missing Parts/ <input type="checkbox"/> Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> RETURN RECEIPT POSTCARD
<input checked="" type="checkbox"/> Response to Missing Parts Under 37.152 or 1.53	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> SUBSTITUTE SPECIFICATION
	<input type="checkbox"/> CD, Number of CD(s) _____	
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Or Individual Name	Daniel D. Fetterley ANDRUS, SCALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
Signature	<i>Daniel D. Fetterley</i>
Date	8/16/04

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop - Missing Parts - Fee, P.O. Box 1450, Alexandria, VA 22313-1450 on the <u>16th</u> day of August, 2004.	
Typed or printed name	Daniel D. Fetterley
Signature	<i>Daniel D. Fetterley</i>
Date	8/16/04



<b>PTO/SB/17</b> (8/96)  <b>FEE TRANSMITTAL</b>  <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  <b>Total Amount of Payment</b> (\$) <b>1,374.00</b>		<b>COMPLETE IF KNOWN</b>																																																																																																																																																																																									
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<b>1.</b> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number <b>01.2000</b> Account Name <b>Andrus, Scales, Starke &amp; Sawall, LLP</b>  <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17  <input type="checkbox"/> The Commissioner is hereby authorized to charge the issue fee and any additional fees required under 37 C.F.R. 1.18 to the above Deposit Account.. A duplicate copy hereof is enclosed.		<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>\$130.00</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td>\$130.00</td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for examination</td><td></td></tr><tr><td>1804</td><td>920</td><td>1804</td><td>920</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840</td><td>1805</td><td>1,840</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for response within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for response within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for response within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for response within fourth month</td><td></td></tr><tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for response within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclos. Stmt.</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.29(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	\$130.00	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification	\$130.00	1812	2,520	1812	2,520	For filing a request for examination		1804	920	1804	920	Requesting publication of SIR prior to Examiner action		1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for response within first month		1252	420	2252	210	Extension for response within second month		1253	950	2253	475	Extension for response within third month		1254	1,480	2254	740	Extension for response within fourth month		1255	2010	2255	1005	Extension for response within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive unavoidably abandoned application		1453	1,330	2453	665	Petition to revive unintentionally abandoned application		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclos. 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Name (Print/Type)	Daniel D. Fetterley	Registration No.	20,323																																																																																																																																																																																								
Signature		Telephone	(414) 271-7590																																																																																																																																																																																								
		Date	8/16/04																																																																																																																																																																																								



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/768,975  
Applicant : Shohei Chida et al.  
Filed : January 30, 2004  
Title : Method and Apparatus for Producing Lightweight Solidified  
Material, Pipe-Type Mixer Apparatus, Apparatus for Producing  
Solidifying Material, and Gravity Adjusting Apparatus  
  
Docket No. : 3335-00012

SUBMISSION OF MISSING PARTS

Milwaukee, Wisconsin 53202  
August 16, 2004

Commissioner for Patents  
Mail Stop - Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This correspondence is responsive to the Notice to File Missing Parts of Application - Filing Date Granted mailed June 15, 2004. This correspondence is being submitted within two months of the mailing date of the Notice to File Missing Parts of Application. No petition for an extension of time pursuant to 37 C.F.R. §1.136 is deemed necessary.

Responsive to the Notice to File Missing Parts of Application - Filing Date Granted mailed June 15, 2004, we enclose the following documents/items.

1. A copy of the Notice of June 15, 2004.
2. A declaration in this application executed by the inventor(s). The declaration includes the name(s) of the inventor(s), the title of the invention, and the Appln. No. and filing date of the application. The application that the inventor(s) executed by signing the attached declaration is believed adequately identified.
3. A Preliminary Amendment.
4. An English translation of the application as filed.
5. A check in the amount of \$1,374.00 in payment of the filing fee of


Appln. No. 10/768,975  
Missing Parts dated August 12, 2004  
Reply to Notice to File Missing Parts of June 15, 2004

\$1,114.00 including 20 claims, 7 of which is/are independent; and \$130.00 for payment of the non-English specification as set forth in 37 C.F.R. §1.17(k); and \$130.00 in payment of the surcharge as set forth in 37 C.F.R. §1.16(e). Kindly charge any additional fees under 37 C.F.R. §§1.16 or 1.17 incurred in connection with this application to Andrus, Sceales, Starke & Sawall Deposit Account No. 01.2000. A duplicate copy of this submission is attached.

Issuance of a filing receipt and advancement of the application to examination is respectfully requested.

Respectfully submitted,

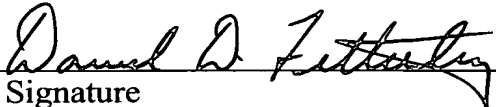
ANDRUS, SCEALES, STARKE & SAWALL, LLP

  
Daniel D. Fetterley  
(Reg. No. 20,323)

100 East Wisconsin Avenue, Suite 1100  
Milwaukee, Wisconsin 53202  
(414) 271-7590

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop - Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16<sup>th</sup> day of August, 2004.

Daniel D. Fetterley	20,323
Name	Reg. No.
	8/16/04
Signature	Date